

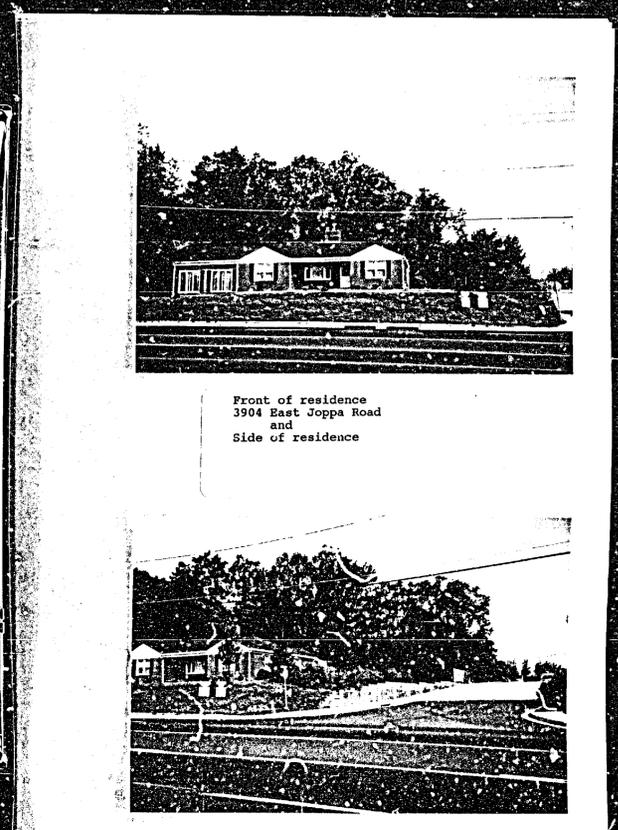
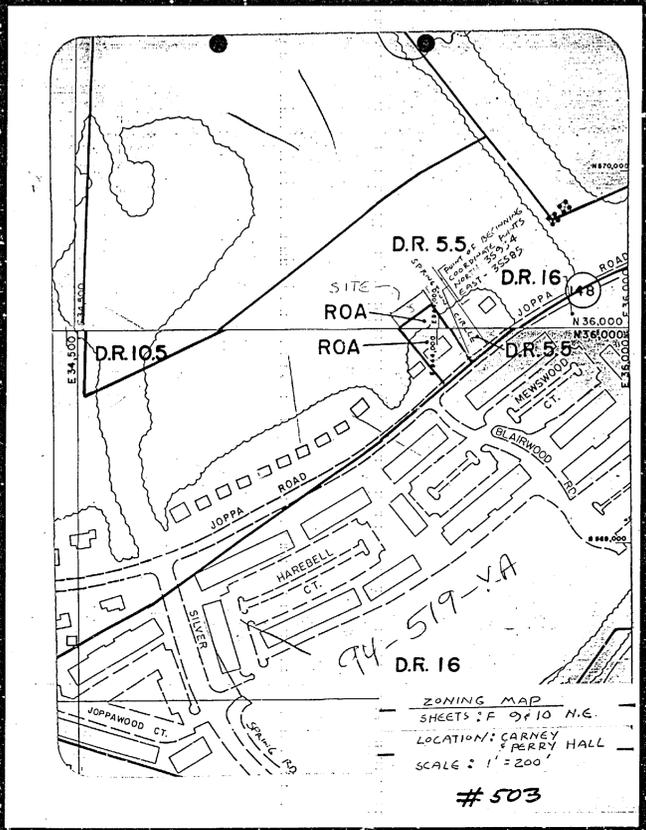
3/4" MOO - 2 SIDED SITE w/ BLACK letters (possibly) gold accent lines \$246.00

3904
Family Dentistry
 DR. KARL T. MEEK, D.D.S.
 256-4720

IF anything needs to be changed - that is no problem!

6' posts w/ round out grooves painted white w/ finials at top

each \$43.00 x2 = \$86.00
 w/ out finials 33.00 x2 = \$66.00 Thank you



- Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the zoning commissioner will deny the petition due to errors or incompleteness.
- Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72-hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

If you have any questions concerning the enclosed comments, please feel free to contact Charlotte Minton in the zoning office at 887-3391 or the commenting agency.

Sincerely,
W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR:cm
Enclosures



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No. 94-519-XA

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for *DAVID M. KATZMAY, ACTING CHIEF*
John Contestabile, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management
FROM: Pat Keller, Director
Office of Planning and Zoning
DATE: July 18, 1994
SUBJECT: 3904 East Joppa Road

INFORMATION:

Item Number: 503
Petitioner: Dr. Karl T. Meek, D.D.S.
Property Size: _____
Zoning: R.O.A.
Requested Action: _____
Hearing Date: 7/19

SUMMARY OF RECOMMENDATIONS:

Based upon a review of the information provided, staff offers the following comment:

In order to permit an accurate calculation of the floor area devoted to the accessory use, staff recommends that the plat accompanying the subject request be amended to show a floor plan.

Prepared by: *Jeffrey L. Long*

Division Chief: *Carol Meek*

PK/JL:lw

ZAC.503/PZONE/ZAC1

Pg. 1

503

7/21/94

Note: Please set this in the Tim as he is familiar with this. Also, the advertising should be decreased to:

Special Exception for an accessory professional (dentist) office within a residence.

Variance: to permit a two-way driveway width of 12' in lieu of 20'.

Any questions, see Mike

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
PETITION FOR VARIANCE * ZONING COMMISSIONER
3904 East Joppa Road, NW/S Joppa *
Road, 25 feet SW of c/l Springtowne *
Circle, 11th Election Dist., * FOR BALTIMORE COUNTY
6th Councilmanic * CASE NO.: 94-519-XA
Dr. Karl T. Meek, DDS, et ux. *
Petitioners *
* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.



Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of July, 1994, a copy of the foregoing Entry of Appearance was mailed to Paul K. Francis, PE, APR Associates, Inc., 7427 Harford Road, Baltimore, MD 21234, Representative for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

November 2, 1994

(410) 887-4386

Dr. Karl T. Meek
3904 E. Joppa Road
Baltimore, Maryland 21236

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
(3904 E. Joppa Road)
Case No. 94-519-XA

Dear Dr. Meek:

In response to your letter dated October 13, 1994 requesting approval of two proposed identification signs for your dental office on the subject property, the following comments are offered.

It is unfortunate that your plans for signage on this property were not raised at the hearing before me in the above-captioned matter. As noted in your letter, Section 202.3.C.1 of the B.C.Z.R. specifies the type of sign permitted in the R.O.A. zone and any deviation therefrom requires a variance. It is clear from the design plan submitted with your letter that the signs you propose for this property, even though they may be more attractive, will conflict with the above-mentioned regulation. While I agree that a "storefront" sign would be inappropriate for your particular property, a variance will be necessary in order for you to proceed as proposed.

I am sorry for any inconvenience this may cause you, however, I am precluded by law from unilaterally approving your request without a public hearing. Should you have any further questions on the subject, please do not hesitate to call me.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Case File No. 94-519-XA

Dr. Karl T. Meek
Gisele Meek
3904 E. Joppa Road
Baltimore, MD 21236

October 13, 1994

Timothy M. Kotroco
Deputy Zoning Commissioner for Baltimore County
Baltimore County Government
Office of Planning and Zoning
Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

Dear Commissioner:

This letter concerns our recent variance and special exception hearing to move my dental practice to my residence (case number: 94-519-XA).

I requested that Mr. Paul Frances from ARP Associates, Inc. discuss my plans for the signs for the dental office at my July 28, 1994 hearing. However, he assured me that there were no restrictions for the sign other than a "set back" length from the road. When I contacted Baltimore County Permit office I was also informed of the permit process and they confirmed that for a free standing sign the only requirement was a set back that Zoning could explain.

I later contacted the Zoning office for the set back requirement and was informed that for ROA there are requirements outlined in section 202.3 C(1). This section only allows for a 6 foot sign either attached to the property or protruding from the property. I was also told that sign plans not in accordance with this section should have been brought up at the hearing.

We feel that a "storefront" 6 foot sign on the property or protruding from it would detract from the residential look of the neighborhood. We feel there have been no protests brought up concerning this property because we have been committed to maintaining the residential look. We regret that this information was not mentioned at the hearing.

We are requesting your approval to place a 2-sided free-standing wood sign on the hill in front of the property and a free-standing wood sign on the side of the property (on our fence) to identify the correct driveway. These signs will not be larger than 4 feet. For your information, we have included a site plan and a sample plan for the signs.

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE - NW/8 Joppa Road, 25' SW of the c/l of Springtowne Circle (3904 E. Joppa Road) 11th Election District 6th Councilmanic District

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY

Case No. 94-519-XA

Dr. Karl T. Meek, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Exception and Variance for the subject property known as 3904 E. Joppa Road, located in the Parkville area of northeastern Baltimore County. The Petitions were filed by the owners of the property, Dr. Karl T. Meek, and his wife, Gisele R. Meek. The Petitioners seek a special exception to permit a dental office in a residence, pursuant to Section 202.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) which will occupy approximately 25% of the total floor area of the dwelling and conform with the other provisions set forth in Section 1801.1.C.9B of the B.C.Z.R. In addition the Petitioners seek a variance from Section 409.4.A of the B.C.Z.R. to permit a driveway width of 12 feet in lieu of the required 20 feet for two-way movement. The subject property and relief sought are more particularly described on the plat submitted into evidence as Petitioner's Exhibit 1.

Appearing on behalf of the Petitions were Dr. & Mrs. Karl Meek, and Paul Francis, Professional Engineer with APR Associates, Inc. There were no Protestants present.

Testimony revealed that the subject property consists of a gross area of 0.5748 acres, more or less, split zoned R.O.A. and D.R. 5.5, and is improved with a one story brick rancher with an attached addition via a

driveway and an 8' x 10' shed. The Petitioners purchased the property in June 1991 at which time the property was entirely zoned D.R. 5.5. In 1992, the property was rezoned to its current split zoning as depicted on Petitioner's Exhibit 1. Dr. Meek, who is a practicing dentist in the area, is desirous of relocating his office to the subject site and utilizing the addition to the dwelling to house his dental offices. The Petitioner testified that the dental offices will not occupy more than 25% of the total floor area of the dwelling, including the addition, and as such, meets the special exception requirements for such use. The requested variance is necessary in order to utilize the existing driveway, which is only 12 feet wide, and maintain the residential character of the property. Further testimony indicated that by using the property as it currently exists, the office will be less noticeable to passing motorists.

The Petitioner submitted into evidence as Petitioner's Exhibit 2 a booklet of photographs depicting the subject site, which is both very attractive and well-landscaped. In the opinion of this Deputy Zoning Commissioner, the operation of a dental office by Dr. Meek at this location will pose no detrimental effect upon the surrounding neighborhood.

It is clear that the B.C.Z.R. permits the use proposed in an R.O.A. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment

to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1991).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special exception and variance relief sought should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 3rd day of August, 1994 that the Petition for Special Exception to permit a dental office in a residence, pursuant to Section 202.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) which will occupy approximately 25% of the total floor area of the dwelling and conform with the other provisions set forth in Section 1801.1.C.9B of the B.C.Z.R., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance from Section 409.4.A of the B.C.Z.R. to permit an existing driveway width of 12

ORDER RECEIVED FOR FILING
Date 8/1/94
By [Signature]

feet in lieu of the required 20 feet for two-way movement, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21284

(410) 887-4386

August 3, 1994

Dr. & Mrs. Karl T. Meek
3904 East Joppa Road
Baltimore, Maryland 21236

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
NW/8 Joppa Road, 25' SW of the c/l of Springtowne Circle
(3904 E. Joppa Road)
11th Election District - 6th Councilmanic District
Dr. Karl T. Meek, et ux - Petitioners
Case No. 94-519-XA

Dear Dr. & Mrs. Meek:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,
Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjjs

cc: Mr. Paul K. Francis
APR Associates, Inc., 7427 Harford Rd., Baltimore, Md. 21234

People's Counsel

File

ORDER RECEIVED FOR FILING
Date 8/1/94
By [Signature]

Petition for Special Exception
94-519-XA
to the Zoning Commissioner of Baltimore County
for the property located at 3904 East Joppa Road
which is presently zoned R.O.A.

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Primary usage as the residence for a dentist and family, and accessory usage as a dental office by the resident as provided under Section 202.3.B, as depicted in Petitioner's Exhibit 1. The accessory use occupies approximately 25 percent of the total floor area of the residence as depicted in Exhibit 1, and will conform with the other provisions purported in the Baltimore County Zoning Regulations, Section 1801.1.C.9b.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Exception advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Who do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchase/Lessor: N/A

Legal Owner(s):
Type or Print Name: Dr. Karl T. Meek, DDS
Signature: [Signature]
Address: Mrs. Gisele R. Meek
City: State: Zipcode: 3904 East Joppa Rd. 256-4720 Baltimore, MD 21236

Attorney for Petitioner:
Type or Print Name: Mr. Paul K. Francis, PE
Signature: [Signature]
Address: APR Associates, Inc.
City: State: Zipcode: 7427 Harford Rd. 444-4312 Baltimore, Md. 21234

ESTIMATED LENGTH OF HEARING: 1 hr. (indicate for Hearing)

RECEIVED BY: [Signature] DATE: 8/1/94

ORDER RECEIVED FOR FILING
Date 8/1/94
By [Signature]

Petition for Variance
94-519-XA
to the Zoning Commissioner of Baltimore County
for the property located at 3904 East Joppa Road
which is presently zoned R.O.A.

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

See attached

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Who do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchase/Lessor: N/A

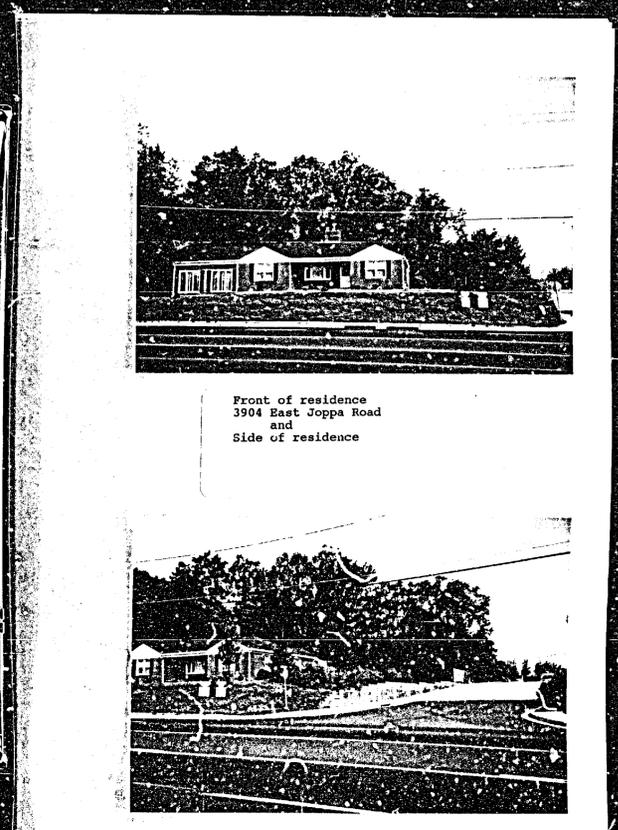
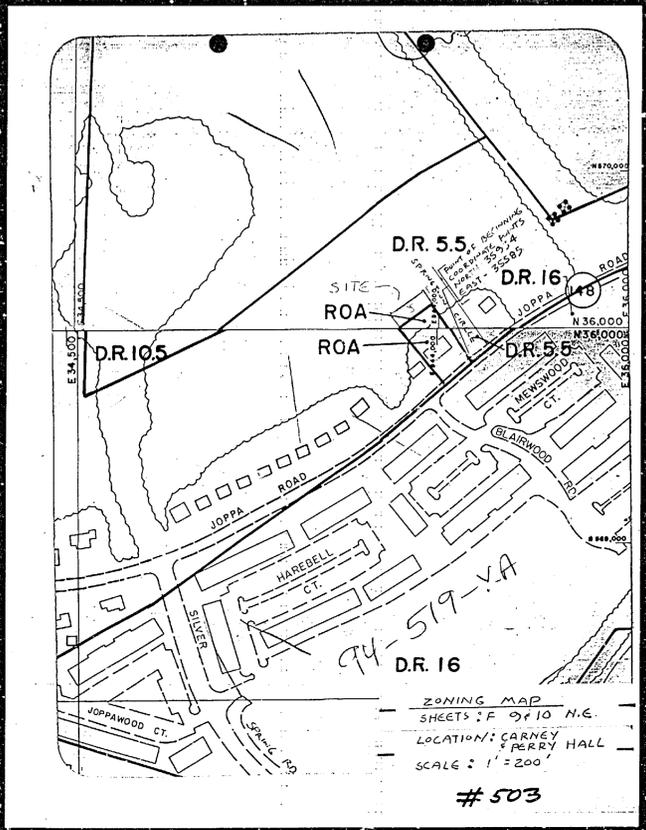
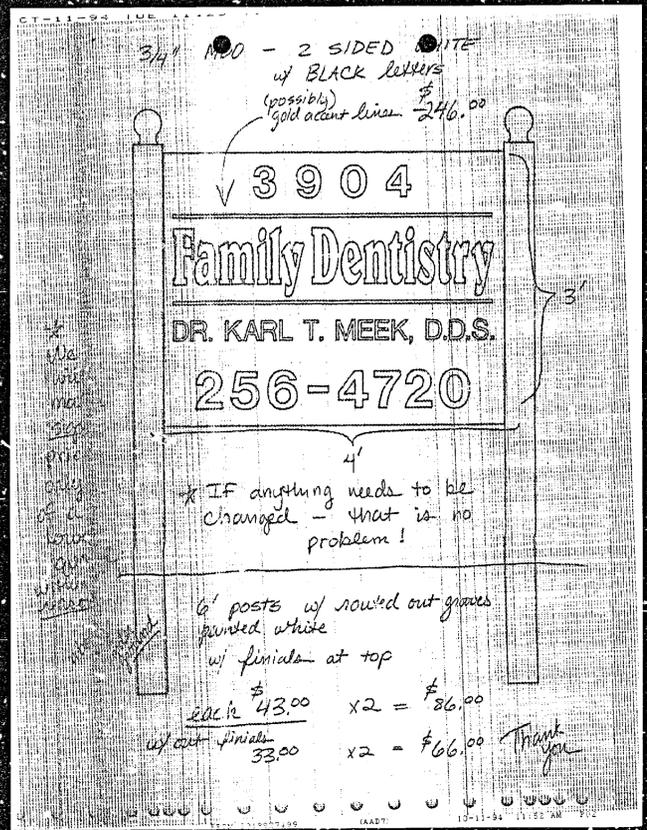
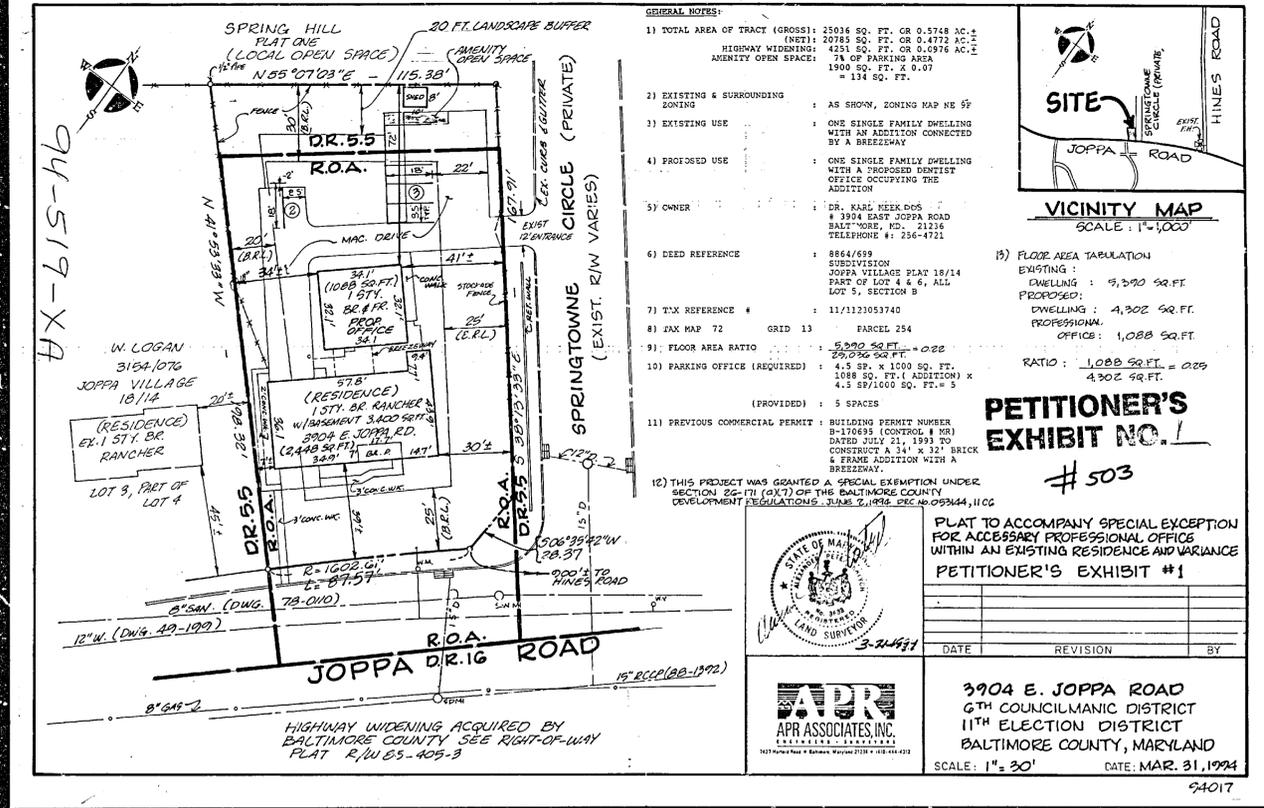
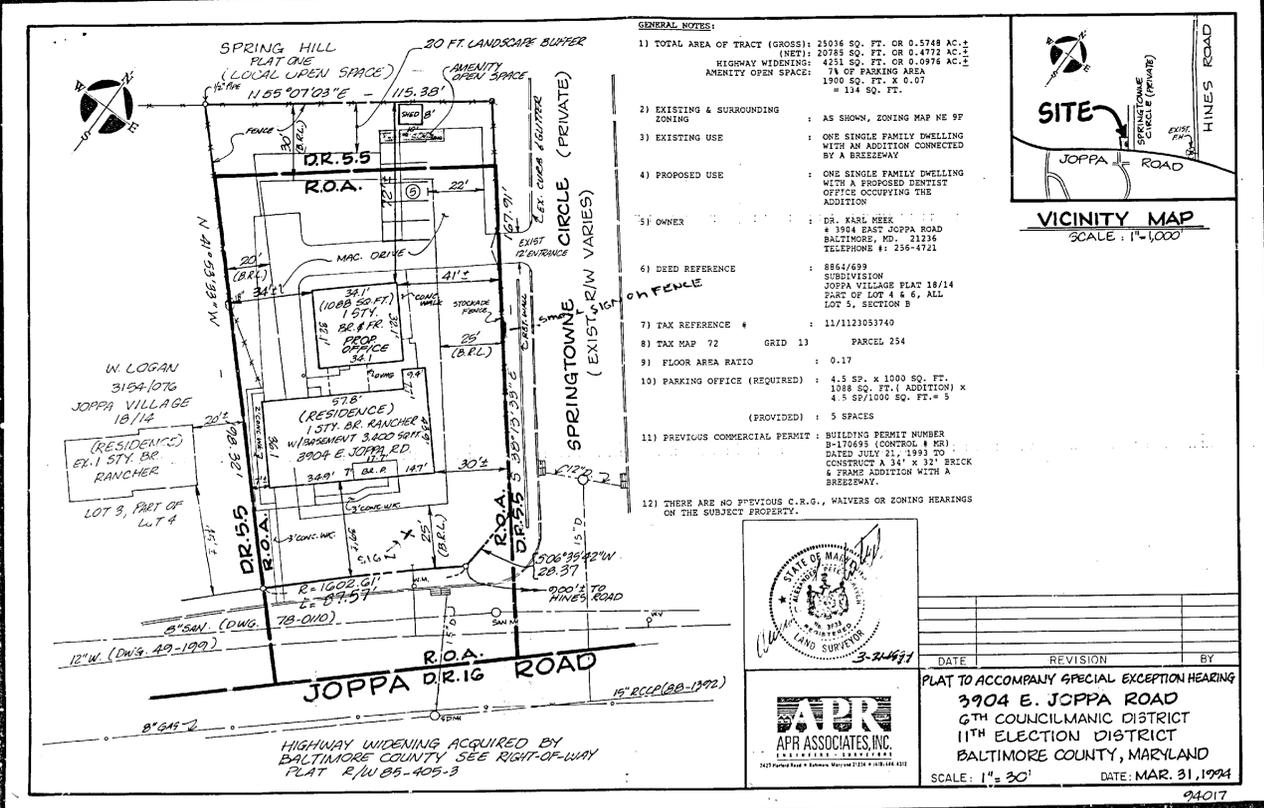
Legal Owner(s):
Type or Print Name: Dr. Karl T. Meek, D.D.S.
Signature: [Signature]
Address: Mrs. Gisele R. Meek
City: State: Zipcode: 3904 East Joppa Road 256-4720 Baltimore, Md. 21234

Attorney for Petitioner:
Type or Print Name: Mr. Paul K. Francis (APR Assoc.)
Signature: [Signature]
Address: APR Associates, Inc.
City: State: Zipcode: 7427 Harford Rd. 444-4312 Baltimore, Md. 21234

ESTIMATED LENGTH OF HEARING: 1 hr. (indicate for Hearing)

RECEIVED BY: [Signature] DATE: 8/1/94

ORDER RECEIVED FOR FILING
Date 8/1/94
By [Signature]



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- Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72-hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

If you have any questions concerning the enclosed comments, please feel free to contact Charlotte Minton in the zoning office at 887-3391 or the commenting agency.

Sincerely,
W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR:cm
Enclosures

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: July 7, 1994
Zoning Administration and Development Management
FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section
RE: Zoning Advisory Committee Meeting
for July 11, 1994
Item No. 503

The Developers Engineering Section has reviewed the subject zoning item. A schematic landscape plan must be submitted and tentatively approved as a condition of granting the Special Exception. A final landscape plan must be approved prior to the release of permits.

RWB:aw



O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No. 94-519-XA

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for DAVID M. KATZ, ACTING CHIEF
John Contestabile, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management
FROM: Pat Keller, Director
Office of Planning and Zoning
DATE: July 18, 1994
SUBJECT: 3904 East Joppa Road

INFORMATION:

Item Number: 503
Petitioner: Dr. Karl T. Meek, D.D.S.
Property Size: _____
Zoning: R.O.A.
Requested Action: _____
Hearing Date: 7/11

SUMMARY OF RECOMMENDATIONS:

Based upon a review of the information provided, staff offers the following comment:

In order to permit an accurate calculation of the floor area devoted to the accessory use, staff recommends that the plat accompanying the subject request be amended to show a floor plan.

Prepared by: *Jeffrey L. Long*

Division Chief: *Carol Meek*

PK/JL:lw

ZAC.503/PZONE/ZAC1

Pg. 1

503

7/21/94

Note: Please set this in the Tim as he is familiar with this. Also, the advertising should be decreased to:

Special Exception for an accessory professional (dentist) office within a residence.

Variance: to permit a two-way driveway width of 12' in lieu of 20'.

Any questions, see Mike

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
PETITION FOR VARIANCE * ZONING COMMISSIONER
3904 East Joppa Road, NW/S Joppa *
Road, 25 feet SW of c/l Springtowne *
Circle, 11th Election Dist., * FOR BALTIMORE COUNTY
6th Councilmanic * CASE NO.: 94-519-XA
Dr. Karl T. Meek, DDS, et ux. *
Petitioners *
* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.



Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of July, 1994, a copy of the foregoing Entry of Appearance was mailed to Paul K. Francis, PE, APR Associates, Inc., 7427 Harford Road, Baltimore, MD 21234, Representative for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

November 2, 1994

(410) 887-4386

Dr. Karl T. Meek
3904 E. Joppa Road
Baltimore, Maryland 21236

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
(3904 E. Joppa Road)
Case No. 94-519-XA

Dear Dr. Meek:

In response to your letter dated October 13, 1994 requesting approval of two proposed identification signs for your dental office on the subject property, the following comments are offered.

It is unfortunate that your plans for signage on this property were not raised at the hearing before me in the above-captioned matter. As noted in your letter, Section 202.3.C.1 of the B.C.Z.R. specifies the type of sign permitted in the R.O.A. zone and any deviation therefrom requires a variance. It is clear from the design plan submitted with your letter that the signs you propose for this property, even though they may be more attractive, will conflict with the above-mentioned regulation. While I agree that a "storefront" sign would be inappropriate for your particular property, a variance will be necessary in order for you to proceed as proposed.

I am sorry for any inconvenience this may cause you, however, I am precluded by law from unilaterally approving your request without a public hearing. Should you have any further questions on the subject, please do not hesitate to call me.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Case File No. 94-519-XA

Dr. Karl T. Meek
Gisele Meek
3904 E. Joppa Road
Baltimore, MD 21236

October 13, 1994

Timothy M. Kotroco
Deputy Zoning Commissioner for Baltimore County
Baltimore County Government
Office of Planning and Zoning
Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

Dear Commissioner:

This letter concerns our recent variance and special exception hearing to move my dental practice to my residence (case number: 94-519-XA).

I requested that Mr. Paul Frances from ARP Associates, Inc. discuss my plans for the signs for the dental office at my July 28, 1994 hearing. However, he assured me that there were no restrictions for the sign other than a "set back" length from the road. When I contacted Baltimore County Permit office I was also informed of the permit process and they confirmed that for a free standing sign the only requirement was a set back that Zoning could explain.

I later contacted the Zoning office for the set back requirement and was informed that for ROA there are requirements outlined in section 202.3 C(1). This section only allows for a 6 foot sign either attached to the property or protruding from the property. I was also told that sign plans not in accordance with this section should have been brought up at the hearing.

We feel that a "storefront" 6 foot sign on the property or protruding from it would detract from the residential look of the neighborhood. We feel there have been no protests brought up concerning this property because we have been committed to maintaining the residential look. We regret that this information was not mentioned at the hearing.

We are requesting your approval to place a 2-sided free-standing wood sign on the hill in front of the property and a free-standing wood sign on the side of the property (on our fence) to identify the correct driveway. These signs will not be larger than 4 feet. For your information, we have included a site plan and a sample plan for the signs.



APR ASSOCIATES, INC.
REGISTERED PROFESSIONALS

94-519-XA

This Petition shall be filed with the office of Zoning Administration & Development Management.

The undersigned, legal owners of the property situate in Baltimore County and which is described in the description and plat attached hereto and made part hereof, hereby petition for a Variance from Sections (1) Section 109.1.A to permit a driveway 12 feet in width for two way movement.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons:

(1) The driveway accesses a privately owned road. The site traffic movement is anticipated to be very low, comprised mainly of patients arriving and departing at scheduled intervals. Construction alterations could adversely affect the residential appearance of the site and entail alterations to an existing retaining wall.

The requested relief will not jeopardize the general public health, safety or welfare.

7427 Harford Road
Baltimore, Maryland 21234-7160
(410) 444-4312
Fax: (410) 444-1647



APR ASSOCIATES, INC.
REGISTERED PROFESSIONALS

94-519-XA

DESCRIPTION OF PROPERTY
3904 EAST JOPPA ROAD
11TH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point on the Northwesterly side of Joppa Road as now widened and at the end of a gusset line connecting said Northeasterly side of Joppa Road with the Southwesterly side of Springtowne Circle, a private road; thence binding along the Northwesterly side of Joppa Road by a curve to the left having a radius of 1602.61' feet for an arc length of 87.57 feet; thence leaving Joppa Road and running North 41 degrees 53 minutes 33 seconds West 198.32 feet and North 55 degrees 07 minutes 03 seconds East 115.38 feet to intersect the Southwesterly side of Springtowne Circle; thence binding thereon South 38 degrees 13 minutes 33 seconds East 167.91 feet and then South 06 degrees 35 minutes 42 seconds West 28.37 feet, binding along the beforementioned gusset line, to the point of beginning.

06/07/94

EJR.DSC



503

7427 Harford Road
Baltimore, Maryland 21234-7160
(410) 444-4312
Fax: (410) 444-1647

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11th Date of Posting: 7/3/94
Posted for: Special Exception & Variance
Petitioner: Dr. Karl T. Meek, DDS, and Gisela R. Meek
Location of property: 3904 East Joppa Road, NW/4
Location of Signs: Two-way driveway on property being zoned
Remarks:
Posted by: [Signature]
Date of return: 7/3/94
Number of Signs: 2

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21284 as follows:

Case Number: 94-519-XA (Item 503)
3904 East Joppa Road
NW/4 Joppa Road, 28 feet SW of c/l Springtowne Circle
11th Election District
6th Councilmanic District
Petitioner(s): Dr. Karl T. Meek, DDS, and Gisela R. Meek
HEARING: THURSDAY, JULY 28, 1994 at 11:00 a.m. in Rm. 106, County Office Building, Towson, Maryland 21284

Special Exception for an accessory professional (dentist) office within a residence. Variance to permit a two-way driveway width of 12 feet in lieu of 20 feet.
LAWRENCE E. SCHMIDT, Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are handicapped accessible; for special accommodations please call 887-3353.
(2) For information concerning the file and/or hearing, please call 887-3353.
7042 July 7.

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 8, 1994
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on July 7, 1994

THE JEFFERSONIAN,
A. Henickson
LEGAL AD. - TOWSON



Zoning Administration
Department of Planning and
Development Management

receipt
94-519-XA

Date: 7/3/94
Number: 503
Meek, Karl - 3904 East Joppa Rd
820-000-0000 - 8/25/94
050-000-0000 - 8/30/94
050-000-0000 - 9/4/94
8/25/94

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21284

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

[Signature]
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 503
Petitioner: Karl T. Meek, DDS
Location: 3904 East Joppa Road
NAME: Karl T. Meek, DDS
ADDRESS: 3904 East Joppa Road
Towson, MD 21284
PHONE NUMBER: 256-4720

Atty: [Signature]

(Revised 04/09/93)

TO: PUTNUTZ PUBLISHING COMPANY
July 7, 1994 Issue - Jeffersonian

Please forward billing to:
Karl T. Meek, D.D.S.
3904 East Joppa Road
Baltimore, Maryland 21236
256-4720

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21284 as follows:

Case Number: 94-519-XA (Item 503)
3904 East Joppa Road
NW/4 Joppa Road, 28 feet SW of c/l Springtowne Circle
11th Election District - 6th Councilmanic District
Petitioner(s): Dr. Karl T. Meek, DDS, and Gisela R. Meek
HEARING: THURSDAY, JULY 28, 1994 at 11:00 a.m. in Rm. 106 County Office Building

Special Exception for an accessory professional (dentist) office within a residence. Variance to permit a two-way driveway width of 12 feet in lieu of 20 feet.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21284

(410) 887-3353

June 29, 1994

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21284 as follows:

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21284 as follows:

Case Number: 94-519-XA (Item 503)
3904 East Joppa Road
NW/4 Joppa Road, 28 feet SW of c/l Springtowne Circle
11th Election District - 6th Councilmanic District
Petitioner(s): Dr. Karl T. Meek, DDS, and Gisela R. Meek
HEARING: THURSDAY, JULY 28, 1994 at 11:00 a.m. in Rm. 106 County Office Building

Special Exception for an accessory professional (dentist) office within a residence. Variance to permit a two-way driveway width of 12 feet in lieu of 20 feet.

[Signature]
Arnold Jablon
Director

cc: Dr. and Mrs. Karl T. Meek
Paul E. Francis, P.E.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21284

(410) 887-3353

July 19, 1994

Doctor and Mrs. Karl T. Meek
3904 East Joppa Road
Baltimore, Maryland 21236

RE: Case No. 94-519-XA, Item No. 503
Petitions for Special Exception and Variance
Petitioner: Karl T. Meek, et ux.

Dear Doctor and Mrs. Meek:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition, which was accepted for filing on June 21, 1994 and scheduled for a hearing accordingly. Any attached comments from a reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the hearing file.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- 1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

Printed with Soybean Ink
on Recycled Paper

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE - NW/8 Joppa Road, 25' SW of the c/1 of Springtowne Circle (3904 E. Joppa Road) 11th Election District 6th Councilmanic District

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY

Case No. 94-519-XA

Dr. Karl T. Meek, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Exception and Variance for the subject property known as 3904 E. Joppa Road, located in the Parkville area of northeastern Baltimore County. The Petitions were filed by the owners of the property, Dr. Karl T. Meek, and his wife, Gisele R. Meek. The Petitioners seek a special exception to permit a dental office in a residence, pursuant to Section 202.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) which will occupy approximately 25% of the total floor area of the dwelling and conform with the other provisions set forth in Section 1801.1.C.9B of the B.C.Z.R. In addition the Petitioners seek a variance from Section 409.4.A of the B.C.Z.R. to permit a driveway width of 12 feet in lieu of the required 20 feet for two-way movement. The subject property and relief sought are more particularly described on the plat submitted into evidence as Petitioner's Exhibit 1.

Appearing on behalf of the Petitions were Dr. & Mrs. Karl Meek, and Paul Francis, Professional Engineer with APR Associates, Inc. There were no Protestants present.

Testimony revealed that the subject property consists of a gross area of 0.5748 acres, more or less, split zoned R.O.A. and D.R. 5.5, and is improved with a one story brick rancher with an attached addition via a

driveway and an 8' x 10' shed. The Petitioners purchased the property in June 1991 at which time the property was entirely zoned D.R. 5.5. In 1992, the property was rezoned to its current split zoning as depicted on Petitioner's Exhibit 1. Dr. Meek, who is a practicing dentist in the area, is desirous of relocating his office to the subject site and utilizing the addition to the dwelling to house his dental offices. The Petitioner testified that the dental offices will not occupy more than 25% of the total floor area of the dwelling, including the addition, and as such, meets the special exception requirements for such use. The requested variance is necessary in order to utilize the existing driveway, which is only 12 feet wide, and maintain the residential character of the property. Further testimony indicated that by using the property as it currently exists, the office will be less noticeable to passing motorists.

The Petitioner submitted into evidence as Petitioner's Exhibit 2 a booklet of photographs depicting the subject site, which is both very attractive and well-landscaped. In the opinion of this Deputy Zoning Commissioner, the operation of a dental office by Dr. Meek at this location will pose no detrimental effect upon the surrounding neighborhood.

It is clear that the B.C.Z.R. permits the use proposed in an R.O.A. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment

to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special exception and variance relief sought should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 3rd day of August, 1994 that the Petition for Special Exception to permit a dental office in a residence, pursuant to Section 202.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) which will occupy approximately 25% of the total floor area of the dwelling and conform with the other provisions set forth in Section 1801.1.C.9B of the B.C.Z.R., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance from Section 409.4.A of the B.C.Z.R. to permit an existing driveway width of 12

ORDER RECEIVED FOR FILING
Date 8/1/94
By [Signature]

feet in lieu of the required 20 feet for two-way movement, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this order has expired. If, for whatever reason, this order is reversed, the relief granted herein shall be rescinded.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21284

(410) 887-4386

August 3, 1994

Dr. & Mrs. Karl T. Meek
3904 East Joppa Road
Baltimore, Maryland 21236

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
NW/8 Joppa Road, 25' SW of the c/1 of Springtowne Circle
(3904 E. Joppa Road)
11th Election District - 6th Councilmanic District
Dr. Karl T. Meek, et ux - Petitioners
Case No. 94-519-XA

Dear Dr. & Mrs. Meek:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,
Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjjs

cc: Mr. Paul K. Francis
APR Associates, Inc., 7427 Harford Rd., Baltimore, Md. 21234

People's Counsel

File

ORDER RECEIVED FOR FILING
Date 8/1/94
By [Signature]

Petition for Special Exception
94-519-XA
to the Zoning Commissioner of Baltimore County
for the property located at 3904 East Joppa Road
which is presently zoned R.O.A.

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Primary usage as the residence for a dentist and family, and accessory usage as a dental office by the resident as provided under Section 202.3.B, as depicted in Petitioner's Exhibit 1. The accessory use occupies approximately 25 percent of the total floor area of the residence as depicted in Exhibit 1, and will conform with the other provisions purported in the Baltimore County Zoning Regulations, Section 1801.1.C.9b.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Exception advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Who do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchase/Lessor: N/A

Legal Owner(s):
Type or Print Name: Dr. Karl T. Meek, DDS
Signature: [Signature]
Address: 3904 East Joppa Rd. 256-4720
City: Baltimore, MD 21236
State: MD Zipcode: Baltimore, MD 21234
Name, Address and phone number of representative to be contacted:
Mr. Paul K. Francis, PE
APR Associates, Inc.
7427 Harford Rd.
Baltimore, MD 21234 444-4312
Phone No. 444-4312

ESTIMATED LENGTH OF HEARING: 1 hr. (Indicate for Hearing)

RECEIVED BY: [Signature] DATE: 8/1/94

ORDER RECEIVED FOR FILING
Date 8/1/94
By [Signature]

Petition for Variance
94-519-XA
to the Zoning Commissioner of Baltimore County
for the property located at 3904 East Joppa Road
which is presently zoned R.O.A.

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

See attached

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Who do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchase/Lessor: N/A

Legal Owner(s):
Type or Print Name: Dr. Karl T. Meek, D.D.S.
Signature: [Signature]
Address: 3904 East Joppa Road
Baltimore, Md. 21236/256-4720
Phone No. 256-4720

ESTIMATED LENGTH OF HEARING: 1 hr. (Indicate for Hearing)

RECEIVED BY: [Signature] DATE: 8/1/94

ORDER RECEIVED FOR FILING
Date 8/1/94
By [Signature]